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8	UNITED STATES DISTRICT COURT DISTRICT OF NEVADA			
9				
10	BANK OF AMERICA, N.A.,	Case No.: 2:21-cv-00454-GMN-EJY		
11	Plaintiff, vs.	STIPULATION AND ORDER FOR		
12		LIMITED STAY OF CASE		
13	OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; OLD REPUBLIC			
14	TITLE COMPANY OF NEVADA; DOES I			
15	through X; and ROES XI through XX,			
	Defendants.			
16				
17	Plaintiff, Bank of America, N.A. ("Plaintiff") and Defendants Old Republic National Title			
18	Insurance Company and Old Republic Title Company of Nevada ("Defendants", and with			
19	Plaintiff, the "Parties"), by and through their undersigned counsel, hereby stipulate as follows:			
20	This matter involves a title insurance coverage dispute wherein Plaintiff contends, and			
21	Defendants dispute, that the title insurance claim involving an HOA assessment lien and			
22	subsequent sale was covered by the subject policy of title insurance. There are now currently			
23	pending in the United States District Court for the District of Nevada and Nevada state courts			
24	more than one-hundred actions between national banks, on the one hand, and title insurers, on the			
25	other hand. In virtually all of these actions, the title insurer underwrote an ALTA 1992 or ALTA			
26	2006 loan policy of title insurance with form 1 coverage, along with the CLTA 100/ALTA 9			
27	and/or CLTA 115.2/ALTA 5 Endorsements.			
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The Parties have conferred and believe a limited six-month stay is warranted. The *PennyMac Corp. v. Westcor Land Title Ins. Co.*, Nevada Supreme Court Case No. 83737 ("*PennyMac*") appeal remains pending. Additionally, there is another fully briefed appeal to the Nevada Supreme Court involving a similar coverage dispute in *Deutsche Bank Nat'l Trust Co. v. Fidelity Nat'l Title Ins. Co.*, Nevada Supreme Court Case No. 84161 ("*Deutsche Bank*"). Both *PennyMac* and *Deutsche Bank* are fully briefed, but oral argument has not been set. The Parties anticipate that the Nevada Supreme Court's decisions in the foregoing appeals may touch upon issues regarding the interpretation of policy and claims handling, that could potentially affect the disposition of the instant action.

Accordingly, the Parties believe a stay of six months in the instant action will best serve the interests of judicial economy. The Parties request that the action be stayed for six months, through and including, August 16, 2023. The Parties are to submit a Joint Status Report on or before August 16, 2023. The Parties further agree that this stipulation and stay of this case is entered based on the specific circumstances surrounding this particular case, and that this stipulation shall not be viewed as a reason for granting a stay in any other pending matter.

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<sup>1</sup> There are also two separate appeals with the Ninth Circuit involving similar coverage disputes. The appeal in *Wells Fargo Bank*, *N.A. v. Commonwealth Land Title Ins. Co.*, Case No. 19-16181 is fully briefed, but the Ninth Circuit has deferred its decision pending the *PennyMac* and *Deutsche Bank* appeals. *See* Dkt. Ent. 75. The appeal in *U.S. Bank Nat'l Ass'n v. Stewart Title Guaranty Co.*, Case No. 22-17015 is in the early stages of briefing with U.S. Bank's opening brief currently due February 28, 2023.

1	NOW THEREFORE, the Parties, by and through their undersigned counsel, hereby			
2	stipulate and agree as follows:			
3	1.	In the interests of judicial econon	ny and in efforts to preserve the Parties' resources,	
4		the Parties request that this action	be STAYED FOR SIX (6) MONTHS, through and	
5		including, August 16, 2023.		
6	2.	2. All deadlines currently set in this case shall be <b>VACATED</b> .		
7	3.	3. The Parties are to submit a Joint Status Report on or before August 16, 2023.		
8	4.	4. By entering into this Stipulation, none of the Parties is waiving its right to		
9		subsequently move the Court for a	an order lifting the stay in this action.	
10	5.	Notwithstanding this Stipulation,	, the Parties may continue to conduct third-party	
11		discovery (including by issuing	and enforcing third-party subpoenas) to preserve	
12		evidence.		
13	IT IS SO STIPULATED.			
14	DATE	this 15 <sup>th</sup> day of February, 2023.	DATED this 15 <sup>th</sup> day of February, 2023.	
15	WRIGH	IT, FINLAY & ZAK, LLP	EARLY SULLIVAN WRIGHT GIZER & McRAE LLP	
16 17		say D. Dragon	/s/ Sophia S. Lau	
18		D. Dragon, Esq. Bar No. 13474	Sophia S. Lau, Esq. Nevada Bar No. 13365	
19	1	Sahara Ave., Suite 200 gas, NV 89117	8716 Spanish Ridge Avenue, Suite 105 Las Vegas, NV 89148	
20		ys for Plaintiff, Bank of America,	Attorneys for Defendants, Old Republic	
21	N.A.		National Title Insurance Company and Old Republic Title Company of Nevada	
22				
23		ODDEDED		
24	11 18 80	ORDERED.		
25	Dated this	day of February, 2023.		
26			Mulli	
27			UNITED STATES DISTRICT JUDGE	
28				